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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,628	12/11/2003	Russell Bonaventura	LEAP:127US	1669
7590 10/10/2007 S. Peter Konzel, Esq. Simpson & Simpson, PLLC 5555 Main Street Williamsville, NY 14221-5406			EXAMINER LAVARIAS, ARNEL C	
			ART UNIT 2872	PAPER NUMBER
			MAIL DATE 10/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10733628	12/11/2003	BONAVENTURA ET AL.	LEAP:127US

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**EXAMINER**

Arnel C. Lavarias

ART UNIT	PAPER
2872	20071003

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

See attached.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The DE 7120165 document in the information disclosure statement filed 7/13/07 fails to comply with 37 CFR 1.97(d) because it lacks both a statement as specified in 37 CFR 1.97(e) and the fee as set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered. It is specifically noted that though a concise explanation of relevance of the DE 7120165 document was submitted 10 weeks after the submission of the original document, MPEP 609.05(a) specifically states that for filings to correct a deficiency in a previous information disclosure statement, the date that the new corrections are filed will be the date for purposes of determining compliance with the requirements based on the time of filing under 37 CFR 1.97.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arnel C. Lavarias whose telephone number is 571-272-2315. The examiner can normally be reached on M-F 9:30 AM - 6 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2872

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Arnel C. Lavarias  
Primary Examiner  
Group Art Unit 2872  
10/2/07

  
ARNEL LAVARIAS  
PRIMARY PATENT EXAMINER